



PATENT  
Docket No. EHAR0010  
page 1

In re application of: )  
Application No.: 09 856,402 )  
Filed: May 21,2001 )  
For: POLISHING MACHINE FOR PERIPHERAL )  
EDGE OF SEMICONDUCTOR )  
Examiner: )  
Art Unit: )

RECEIVED

21 NOV 2001

**PETITION UNDER 37 CFR 1.47 (a)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

As evidenced by the attached copy of the letters dated August 22, 2001 ("evidence 1") and September 9, 2001 ("evidence 3") and the attached statement of Mr. Mineo Ishii, diligent effort has been made to reach the inventor, Hitoshi Tambo, of the above-identified application. But Mr. Tambo refused to the application papers.

According to the employment agreement, all intellectual property rights of Tambo's inventions made during his employment at Kabushiki Kaisha Ishii Hyoki have been assigned, or under obligation to be assigned, to Kabushiki Kaisha Ishii Hyoki. Accordingly, the other inventors, Teruyuki Nakano; and Yasuhiro Kozawa, of the above-identified application, made the application for patent on behalf of Hitoshi Tambo under 37 C.F.R. 1.47(a) so as to preserve the assignee's rights.

The last known address of Hitoshi Tambo is:

4-7-9, Eda-Nisi, Aoba-Ku,  
Yokohama-shi, Kanagawa-ken, Japan

The required fee \$130 under 37 C.F.R. 1.17(h) is enclosed.

Respectfully submitted,  
J.C. PATENTS

Jiawei Huang  
Registration No. 43,330

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Irvine, CA 92618  
(949) 660-0761



**PATENT**  
Docket No. «IMPORT\_CASE\_JCPL\_DOCKET\_NO»

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: TERUYUKI NAKANO et al. )  
Application No.: 09/856,402 )  
Filed: May 21,2001 )  
For: POLISHING MACHINE FOR )  
PERIPHERAL EDGE OF )  
SEMICONDUCTOR )  
Attorney Docket No. EHAR0010 )  
Examiner: )  
Art Unit: )

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**DECLARATION OF MINEO ISHII**

I, Mineo Ishii, do hereby declare that:

1. I am the president of Kabushiki Kaisha Ishii Hyoki, a company located at 5, Asahigaoka, Kannabecho, Fukayasu-gun, Hiroshima 720-2113, Japan.
2. I am aware that the above-identified application names as joint inventors: Teruyuki Nakano; Yasuhiro Kozawa; and Hitoshi Tambo.
3. I am aware that Mr. Hitoshi Tambo was hired by Kabushiki Kaisha Ishii Hyoki on April 10, 2000 as an engineer and retired on May 20, 2001. I am further aware that, while working at Kabushiki Kaisha Ishii Hyoki, Mr. Tambo contributed to the development of the invention disclosed and claimed in the above-identified application.
4. I am aware that Mr. Tambo's last known address at the time he retired from Kabushiki Kaisha Ishii Hyoki was 4-7-9, Eda-Nisi, Aoba-Ku, Yokohama-shi, Kanagawa ken, Japan.
5. I am aware that, according the employment agreement, all intellectual property rights of Mr. Tambo's inventions made during his employment at Kabushiki Kaisha Ishii Hyoki have been assigned, or under obligation to be assigned, to Kabushiki Kaisha Ishii Hyoki.
6. Kabushiki Kaisha Ishii Hyoki has attempted to contact Mr. Tambo by mail and telephone to obtain his signature on the documents (the Declaration and Power

PATENT

Docket No. «IMPORT\_CASE\_JCPI\_DOCKET\_NO»

of Attorney, and the Assignment). More particularly:

- a) Kabushiki Kaisha Ishii Hyoki sent Mr. Tambo a registered letter dated August 22, 2001 to inform him the filling of the above identified application and to request him to execute the documents. (See the attached copy of the receipt of the registered letter labeled as "evidence 1").
- b) The letter was delivered to Mr. Tambo on August 26, 2001. (See the attached copy of the delivery certificate labeled as "evidence 2").
- c) After receiving the returned delivery certificate, Mr. Yasuhiro Kozawa, on behalf of Kabushiki Kaisha Ishii Hyoki, tried to contact Mr. Tambo by telephone on August 30, and September 5, 2001.
- d) Mr. Yasuhiro Kozawa succeeded in contacting with Mr. Tambo by telephone on September 5, 2001, and requested his signature. In response, Mr. Tambo told Mr. Kozawa that he would not sign the documents.
- e) Mr. Kozawa received a letter dated September 9, 2001 from Mr. Tambo with the documents returned without his signature. (See the attached copy of Mr. Tambo's letter labeled as "evidence 3").

*letter*

7. Based on my present knowledge, Mr. Tambo has refused to sign the Declaration and Power of Attorney, and the Assignment.
8. I declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

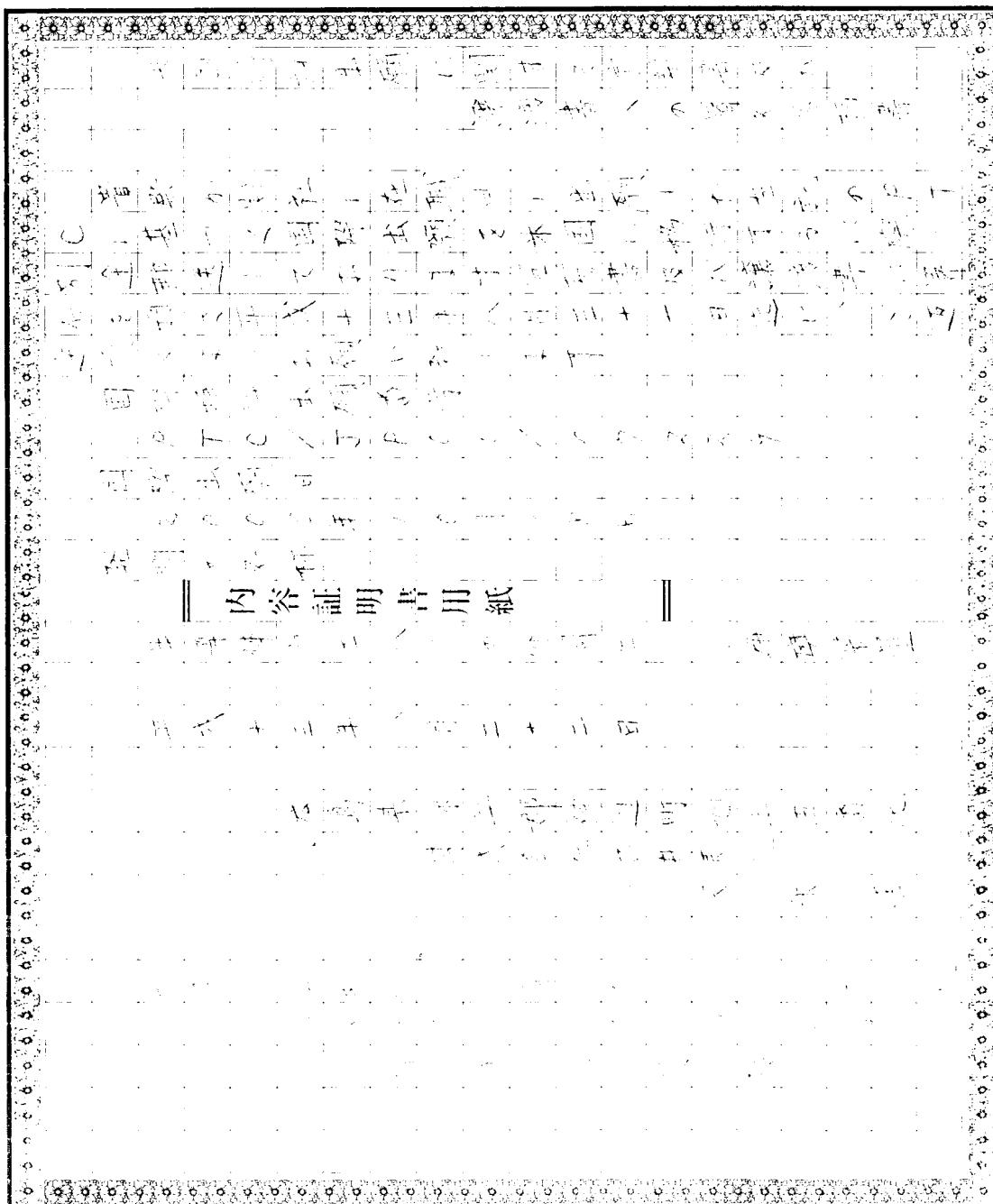
Dated: 1, Oct., 2001

By: Mineo Ishii

Mineo Ishii

President

Kabushiki Kaisha Ishii Hyoki



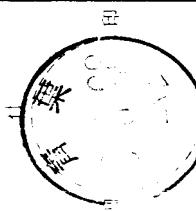
御領郵便局長



郵便物配達証明書

evidence 2

受取人の 氏名	丹保 仁志 様
引受番号	18C-18-13812 /
上記の郵便物は、13年8月26日配達 したのでこれを証明します。	

付 

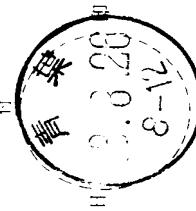
福島県 郵便局

ユ 07370 (133・ヨシダ回転・03) 再生紙使用

郵便物配達証明書



受取人の 氏名	丹保 仁志 様
引受番号	18C-18-13813-2 /
上記の郵便物は、13年8月26日配達 したのでこれを証明します。	

付 

福島県 郵便局

ユ 07370 (133・ヨシダ回転・03) 再生紙使用

### evidence 3

小澤さん

郵便は、手渡しサインする必要も無く  
様子のでサインせざれお送りします。

丹係

2001/9/9